

Appln. No. 10/644,632
Reply to Office Action of February 1, 2008
Amendment dated July 1, 2008

REMARKS

In the Office Action of February 1, 2008, the Patent Office examined claims 223–291, all other claims from the as-filed application having been restricted out and then subsequently canceled. Clarifying amendments have been made to independent claims 223, 238, 251, 262, and 278 to overcome the 35 U.S.C. § 103(a) rejections contained in the Office Action. Further clarifying amendments have also been made to dependent claims 227, 236, 237, 242, 249, 260, 261, 268, 279, 283, 290, and 291.

It is submitted that the amended independent claims 223, 238, 251, 262 and 278 clearly define the nature and scope of the present invention and are presented in a manner that patentably distinguishes the present invention from the teachings of the cited references, either alone or in combination. Accordingly, this Amendment is believed to have corrected all deficiencies so that a Notice of Allowance can be promptly issued.

Claim Rejections – 35 U.S.C. § 103

In the Office Action, the Patent Office rejected claims 223–291 under 35 U.S.C. § 103(a), as being allegedly unpatentable over *Beck*, U.S. Pat. No. 6,671, 273, in view of *Hayes*, U.S. Publ. No. 2004/0215771, and further in view of *Rezailifar et al.*, U.S. Pat. No. 6,980,658, *Breslow et al.*, U.S. Pat. No. 6,493,342, and *Lin*, U.S. Publ. No. 2004/0233915.

In rejecting independent claims 223, 238, 251, 262, and 278, the Examiner asserts that “*Beck* discloses the assigning a unique user identifier (Host ID) to each authorized user of the computer network . . .” In this way, the Examiner asserts that the “Host ID” of *Beck* is the same, or equivalent to, the “unique user identifier assigned to each authorized user of the computer network” in the present claims. This assertion, however, is purely untenable, as the Host ID discussed in *Beck* is completely different from the unique user identifier discussed in the claims.

Specifically, *Beck* discusses a “method for encoding connection information in the sequence number field of an outgoing TCP/IP data packet header.” [*Beck*, col. 3, ll. 16–18]. *Beck* further states that the “connection information includes an identification

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number, referred to as the Host ID, of the processor node to which the packet is associated." [*Id.*, ll. 18-21 (emphasis added)]. In this way, *Beck* specifically defines the Host ID as a number associated with a processor node to which a data packet is associated. As should be appreciated, a processor node has nothing to do with a specific authorized user, to which the unique user identifier of the current claims is directed. It is entirely unclear how the Examiner can relate a unique user identifier for a specific authorized user to an identification number associated with a processor node. These two elements are completely distinct.

Further, not only is the Host ID entirely different from the unique user identifier of the present claims, but the use of a unique user identifier for an authorized user is neither discussed nor alluded to anywhere in *Beck*. In fact, when describing the header of the TCP/IP packets used in *Beck*, the only identifying information discussed as included in the header is the Host ID, a "source IP address" identifying the "thirty-two bit network layer address of the processor node," and a "source port" identifying the "TCP port number for the application . . ." [*Id.*, col. 4, ll. 41-51]. As described in the reference, the "source IP address" and "TCP port number" relate to specific nodes within a network layer or cluster, and are in no way tied to a specific authorized user within the computer network. Accordingly, it would be inappropriate to use *Beck*, alone or in combination with any of the other cited references, to obviate any of the independent or dependent claims containing the element of the unique user identifier assigned to an authorized user because *Beck* simply fails to teach, discuss, suggest, contemplate, or require any such element.

However, in an attempt to clarify the claimed subject matter and move the case quickly towards allowance, independent claims 223, 238, 251, 262, and 278 have been amended to state that each authorized user of the computer network is an "authorized human user." It is believed this amendment clarifies the fact that the unique user identifier in the present claims is tied to a person, and not to a node.

Additionally, not only is the type of identifier discussed in *Beck* different from the identifier in the present claims, but the way in which the identifier is used is different as well. *Beck* discusses embedding the Host ID into the connection information in a packet

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at a processor node to track the connection information such that a "connection registration database is only [required to be] updated after a large, predetermined number of bytes have been transferred across that connection . . ." [*Beck*, col. 3, ll. 22-24]. Thus, use of the Host ID in the connection information allows "fewer connections [to be] registered in the connection registration database." [*Id.*, ll. 24-26]. Generally, this Host ID information is embedded into the packets during ongoing communications amongst several processor nodes within a cluster of nodes to minimize the overhead operations associated with registering connection information. [*Id.*, col. 2, ll. 51-52].

In contrast, the present claims discuss inserting the unique user identifier associated with a specific authorized human user into the header of a packet upon initiation of a TCP/IP communication attempt, and allowing the TCP/IP communication to continue as a function of the unique user identifier in the header of the packet. Thus, the unique user identifier is inserted into the header of the packet as the communication attempt is first initiated, and then the inserted user identifier is used to determine whether or not to grant the user access to a resource within the computer network. Although the communications and communication attempts in the present claims may be tracked or logged, the overarching purpose is to grant or deny access based on the specific human user initiating the communication. Alternatively, *Beck* merely uses Host IDs as a way to route and track communications and connection information amongst processor nodes. Thus, the use of the unique user identifier in the present claims is much different from the use of the Host ID in *Beck*.

However, in another attempt to clarify the claimed subject matter and move the case quickly towards allowance, independent claims 223 and 278 have been amended to clarify that the TCP/IP communication attempt is initiated "at a source node," (as opposed to a processing node). Also, claim 238 has been amended to further state that the purpose for comparing header data to unique user identifiers is to "determine if the undetermined user is one of the plurality of authorized human users logged into an authorized computer of the computer network." Independent claims 251 and 262 have not been amended to further clarify the use of the unique user identifiers as the clarifying amendments are believed unnecessary for these claims.

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To his knowledge, Applicant is the first to conceive and invent a practical, effective and efficient manner of using and embedding unique user identifiers within conventional header fields within a TCP/IP synchronization packet in such a way that the information could be used, extracted, and acted upon, and all without interfering with a standard TCP/IP communication protocol. The present invention hinges upon use of this critical information, which enables a network to identify the specific user initiating an electronic communication. Because *Beck* does not teach, discuss, suggest, contemplate, or require the use of unique user identifiers associated with specific authorized human users, the present inventions are not anticipated or obviated by *Beck*, alone or in combination with any of the other cited references, and thus the 35 U.S.C. § 103(a) rejections using *Beck* cannot be supported.

For the above reasons, independent claims 223, 238, 251, 262 and 278 are believed allowable over the references of record. Similarly, since dependent claims 224–237, 239–250, 252–261, 263–277, and 279–291 merely provide additional details and limitations to their respective independent claims, such dependent claims should be allowable for the same reasons as the independent claims.

Applicant submits that no new subject matter has been added by the amendments, and that the above amendments and arguments overcome the Examiner's rejections to the claims. Accordingly, this application is believed to be in condition for allowance, and such action is earnestly solicited.

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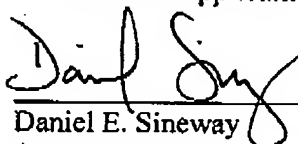
CONCLUSION

It is respectfully submitted that amended independent claims 223, 238, 251, 262 and 278, and all of their respective dependent claims, are not anticipated or rendered obvious by any of the art cited by the Patent Office to date, including *Beck*, whether considered alone or in combination with any of the other references cited. Applicant further submits that no new subject matter has been added by the amendments presented herein. For these reasons, Applicant respectfully submits that claims 223-291 define over the references known or cited and, thus, stand in condition for allowance, which action is earnestly solicited. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities can be corrected by an Examiner's amendment, please call the undersigned at 404-233-7000.

Because Applicant originally paid for 16 independent claims and 222 total claims, it is respectfully submitted that no additional claim fees are due with this Amendment, which has been reduced to 5 independent claims and 69 total claims. Applicant submits the present Amendment with a Petition and fee for a 2 month extension of time. However, if our assessment of fees due is in error, please charge any fees that might be due or credit any overpayment to our Deposit Account No. 50-3537.

Respectfully submitted,
Morris, Manning & Martin, LLP
On behalf of Applicant

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